

**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

JOSHUA ROBERTSON,

Plaintiff,

v.

JOHN LATORRACA CORRECTIONAL  
FACILITY, *et al.*,

Defendants.

Case No. 1:24-cv-00009-JLT-BAM (PC)

ORDER DIRECTING PLAINTIFF TO  
PROVIDE WRITTEN NOTICE  
IDENTIFYING DEFENDANTS JONATHAN  
DOE, MIGUEL DOE, AND JANE DOE FOR  
SERVICE OF PROCESS

**NINETY (90) DAY DEADLINE**

Plaintiff Joshua Robertson ("Plaintiff") is a former pretrial detainee and current civil detainee proceeding *pro se* and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983.

On May 21, 2025, the Court ordered that this action proceed on Plaintiff's second amended complaint against: (1) Defendants Gutierrez, Sandoval, Jonathan Doe, Miguel Doe, Reid, and Jane Doe for Due Process violation for conditions of confinement related to the cell sanitation; (2) Defendant Gutierrez for Due Process violation for conditions of confinement related to removal of the mattress; and (3) Defendants Merced County and John Latorraca Correctional Facility for *Monell* liability. (ECF No. 24.) By separate order, the Court has directed service of the complaint on Defendants Gutierrez, Sandoval, Reid, Merced County, and John Latorraca Correctional Facility.

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At this time, the Court does not find service appropriate for Defendants Jonathan Doe, Miguel Doe, and Jane Doe because the U.S. Marshal cannot serve a Doe Defendant. Therefore, before the Court orders the U.S. Marshal to serve Defendants Jonathan Doe, Miguel Doe, and Jane Doe, Plaintiff will be required to identify them with enough information to locate the defendants for service of process. Once Plaintiff identifies Defendants Jonathan Doe, Miguel Doe, and Jane Doe for service, he should file a motion to substitute the identities of Defendants Jonathan Doe, Miguel Doe, and Jane Doe in the complaint. If the motion is granted, the Court will direct the U.S. Marshal to serve Defendants Jonathan Doe, Miguel Doe, and Jane Doe. However, if Plaintiff fails to identify Defendants Jonathan Doe, Miguel Doe, and Jane Doe, then any unidentified defendant will be dismissed from this action.

Accordingly, IT IS HEREBY ORDERED as follows:

1. Within **ninety (90) days** from the date of service of this order, Plaintiff SHALL file a motion to substitute the identities of Defendants Jonathan Doe, Miguel Doe, and Jane Doe that provides the Court with enough information to locate them for service of process; and
2. **The failure to comply with this order will result in dismissal of any unidentified defendant(s) from this action, without prejudice, for failure to serve with process pursuant to Federal Rule of Civil Procedure 4(m).**

IT IS SO ORDERED.

Dated: May 26, 2025

/s/ Barbara A. McAuliffe  
UNITED STATES MAGISTRATE JUDGE